

Application Serial No. 10/801,406

REMARKS

1. Applicant thanks the Examiner for his findings and conclusions.

2. It should be appreciated that Applicant has elected to amend Claims 5, 11, 17, 20, and 21 solely for the purpose of expediting the patent process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which the Applicant considers the invention herein entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Hilton Davis / Festo Statement

The amendments herein to Claims 5, 11, 17, 20, and 21 were not made for any reason related to patentability. Claims 5, 11, and 17 were amended to conform with standard claim drafting practices. Claims 20 and 21 were amended to clarify the invention. All of the above listed amendments were made for reasons other than patentability.

3. Claims 4, 10, and 16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention.

The Examiner deems that the clause "any other form of cryptography" renders each of Claims 4, 10, and 16 indefinite. The Applicant notes that Claims 4, 10, and 16 do not contain the clause "any other form of cryptography"; however, Claims 5, 11, and 17 do contain the stated clause. Accordingly, the current rejection of Claims 5, 11, and 17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly

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point out and distinctly claim the subject matter that the Applicant regards as the invention is deemed to be improper.

In a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00) of expediting the patent process, the Applicant proceeds under the assumption that the Examiner intended to reject Claims 5, 11, and 17 and not Claims 4, 10, and 16 under 35 U.S.C. § 112, second paragraph.

Claims 5 and 11

The Applicant amends Claims 5 and 11 to remove the clause "any other from of cryptography". Accordingly, the current rejection of Claims 5 and 11 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention is deemed to be overcome.

Claim 17

The Applicant amends Claim 17 to clarify that the service assertion is implemented using a form of cryptography. Accordingly, the current rejection of Claim 17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention is deemed to be overcome.

4. Claims 1-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent publication no. US 20030145223 (hereinafter "Brickell").

Claims 1-21

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The Applicant respectfully disagrees that the invention of Claims 1-21 are obvious in view of Brickell. The Examiner states / admits that Brickell does not explicitly teach any of:

5 upon said first Web service determining a need to invoke a second desired service at a second Web service, said first Web service requesting from said discovery service a second service descriptor associated with said second Web service and a second service assertion associated with said second Web service; and

10 in response to receiving said request for said second service descriptor and said second service assertion, said discovery service adding said second service assertion to said first service assertion and subsequently passing said first service assertion and said second service descriptor to said first Web service;

15 in response to receiving said first service assertion and second service descriptor, said first Web service invoking said desired second service at said second Web service.

20 The Examiner asserts that merely repeating the teaching of Brickell yields all of the above quoted steps. In stark contrast to the teachings of Brickell being repeated, the web service request steps are chained. Several difference exist between chaining and repeating. These differences are outlined, *infra*, in terms of Claim 1.

25 First, chaining requires the first web service to determine a need from a second web service. In stark contrast, Brickell does not teach the first web service contacting a second web service, much less determining a need from the second web service. Merely repeating a call from the discovery service to a second web service is not the same as the first web service determining a need from a second web service. Thus, the Claim 1 requirement of "said first Web service determining a need to invoke a second desired service at a second Web service" is not taught or described by Brickell.

30 Second, in response to additional information being required at the second web service, the first web service requests that additional information from the discovery service. Brickell does not teach or suggest a request for additional information from the first web service to the discovery service. Further, Brickell does not teach or suggest

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that the additional information requested comes from a web service not contacted by the discovery service. Thus, the Claim 1 requirement of "said first Web service requesting from said discovery service a second service descriptor associated with said second Web service" is not taught by Brickell.

5 Third, Claim 1 further requires: "said discovery service adding said second service assertion to said first service assertion". Thus, Claim 1 requires the second service assertion be added to the first service assertion. Claim 1 further requires "and subsequently passing said first service assertion and said second service descriptor to said first Web service". Thus, Claim 1 sends the amended first service assertion to the
10 second web service. Finally, Claim 1 further requires: "said first Web service invoking said desired second service at said second Web service." Brickell does not teach or suggest adding the second service assertion to the first service assertion and subsequently sending the amended service assertion to the second web service by way of the first web service.

15 Thus, chaining requires (1) the first web service determining a need from a second web service; (2) a request from the first web service to the discovery service for additional information sought by the second web service; (3) adding a second service assertion of the first service assertion; and (4) sending the amended service assertion to the second web service by way of the first web service. None of these four required
20 steps are achieved by merely repeating a web service request as taught by Brickell. Thus, for each of the four reasons listed, the current rejection of Claim 1 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Brickell is deemed to be improper.

25 Independent Claims 7, 13, and 19-21 are apparatus, process, and program storage claims similar in scope to Claim 1. Therefore, Claims 7, 13, and 19-21 should be allowable for at least the same reasons as Claim 1.

Claim 19

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As to Claim 19, the Applicant respectfully disagrees. Claim 19 requires: "said first Web server requesting a second service descriptor and a second service assertion for a second desired service at a second Web server from said discovery service". Hence, Claim 19 requires the that the first web server requests (1) a second service descriptor and (2) a second service assertion for a second service from a second web server. In stark contrast, Brickell does not teach the contacted web server requesting any additional information, much less requesting additional information needed to invoke a second service from a second web server. Accordingly, the current rejection of Claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Brickell is deemed to be improper.

Claim 20

In order to clarify the invention, the Applicant amends Claim 20 to require the apparatus to further comprise means for retaining a footprint of requested services, wherein the footprint contains both the first service assertion and the second service assertion. Support for the amendment is found in the application as filed at least at page 13, lines 14-20. Brickell does not teach or suggest means for retaining a footprint of requested services. Accordingly, the current rejection of Claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Brickell is deemed to be overcome.

Claim 21

In order to clarify the invention, the Applicant amends Claim 21 to further require that the second Web server indirectly communicates with the discovery service through the first Web server. Support for the amendment is found in the application as filed at least at page 13, lines 14-20. Brickell does not teach or suggest means for retaining a footprint of requested services. Accordingly, the current rejection of Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Brickell is deemed to be overcome.

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CONCLUSION

In view of the above, the Application is deemed to be in allowable condition. The Examiner is therefore earnestly requested to withdraw all outstanding rejections, allowing the Application to pass to issue as a United States Patent. Should the Examiner have any questions regarding the application, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,


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